

New York's Latino Bar Associations Issue Joint Statement on Calls to Remove Senator Luis R. Sepúlveda as Chair of the Senate Judiciary Committee

Long Island Hispanic Bar Association • Puerto Rican Bar Association, Inc. • Hudson Valley Hispanic Bar Association. • Dominican Bar Association

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NEW YORK, N.Y. – The Long Island Hispanic Bar Association, the Puerto Rican Bar Association, the Dominican Bar Association, and the Hudson Valley Hispanic Bar Association today issued the following joint statement.

The undersigned associations are united by a commitment to the independence and integrity of New York's judiciary and to public confidence in it. Those principles require judges, lawyers, legislators, and the public alike to respect the processes through which our judiciary is selected, evaluated, and held accountable.

Recent events have sparked an important conversation about that process and the growing influence of organized political advocacy in shaping New York's judiciary. Regardless of one's political views or opinion of any individual public official, we believe this moment calls for a broader discussion about protecting the independence of our judicial institutions. It also requires us to say clearly that we will not remain silent or yield to organized political pressure that threatens that independence.

Several years ago, New Yorkers witnessed the unprecedented defeat of Justice Hector LaSalle's nomination to serve as Chief Judge of the New York Court of Appeals. That confirmation process demonstrated the extraordinary influence that organized political coalitions can exert over judicial appointments. Public reports described months of coordinated efforts by advocacy organizations to oppose his nomination, not because he lacked the qualifications to serve, but because they openly sought to change the direction of New York's judiciary.

Today, Senator Luis Sepúlveda finds himself under intense public scrutiny for allegedly filing a complaint against a judge before whom he appeared. Although the circumstances differ from those surrounding Justice LaSalle's nomination, there is an important common thread: both Latino men held positions central to New York's judicial selection process and the administration of justice.

Senator Sepúlveda was not simply another elected official. He was one of Justice LaSalle's strongest and most vocal supporters, publicly challenging what he believed was an unprecedented effort to derail Justice LaSalle's nomination and defending the integrity of New York's constitutional confirmation process. It is therefore difficult to ignore that one of the most outspoken critics of political interference in judicial selection has now come under public attack by many of the same individuals.

The recent scrutiny surrounding Senator Sepúlveda also raises an important question about the role of lawyer-legislators.

Members of legislative judiciary committees are often selected because they are experienced practicing attorneys. Their courtroom experience provides invaluable insight into judicial temperament, professionalism, ethics, and the day-to-day administration of justice. That experience is not incidental to their service; it is one of the very reasons they are entrusted with evaluating judicial candidates.

A practicing attorney does not surrender his or her professional responsibilities upon assuming public office. Every attorney admitted to practice in New York has both the right and the ethical obligation to zealously advocate for clients within the bounds of the law, and Senator Sepúlveda is no exception. At times, that advocacy may require challenging a judicial ruling, seeking recusal, pursuing appellate review, or filing a complaint when an attorney, acting in good faith, believes judicial conduct warrants review.

Those procedures exist to strengthen not weaken public confidence in the judiciary. The mere fact that an attorney utilizes those established processes should not, standing alone, be viewed as inconsistent with serving on, or even chairing, a legislative judiciary committee. To hold otherwise would create an impossible standard that discourages experienced litigators from public service and deprives the Judiciary Committee of the practical legal experience that makes it uniquely qualified to evaluate members of the bench.

The future of New York's courts must be guided by constitutional principles, professional qualifications, judicial temperament, and fidelity to the rule of law, not by the politics of the moment.

Our judiciary belongs to the people of New York. Its independence must remain above politics, above ideology, and above the influence of any special interest.

Signed,

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